

MORRISON | FOERSTER

755 PAGE MILL ROAD  
PALO ALTO  
CALIFORNIA 94304-1018  
  
TELEPHONE: 650.813.5600  
FACSIMILE: 650.494.0792  
  
WWW.MOFO.COM

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.  
  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITY  
  
TOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS

RECEIVED  
CENTRAL FAX CENTER  
APR 06 2006

To:

<b>NAME:</b>	<b>FACSIMILE:</b>	<b>TELEPHONE:</b>
Commissioner for Patents U.S. Patent and Trademark Office	(571) 273-8300	(571) 272-4000

FROM: Catherine M. Polizzi      DATE: April 6, 2006

Number of pages with cover page:	4	Originals Will Not Follow
----------------------------------	---	---------------------------

Preparer of this slip has confirmed that facsimile number given is correct: 12056/eag4

Comments:

Attorney Docket No.: 420042000126  
 Group Art Unit: 1618  
 Examiner: M. Hartley  
 Patent Application No.: 09/446,783  
 Int'l Filing Date: June 26, 1998  
 Inventors: Neil P. DESAI et al.  
 Title: NOVEL FORMULATIONS OF PHARMACOLOGICAL AGENTS, METHODS FOR THE PREPARATION THEREOF AND METHODS FOR THE USE THEREOF

Papers attached:

1. Transmittal Form (1 page)
2. Power of Attorney (1 page)
3. Statement under 37 CFR 3.73(b) (1 page)

5 24

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

CAUTION - CONFIDENTIAL

This facsimile contains confidential information that may also be privileged. Unless you are the addressee (or authorized to receive for the addressee); you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
ELSA GUEZIEC AT 650-813-5862 AS SOON AS POSSIBLE.

PA-1058568

RECEIVED 002/004  
CENTRAL FAX CENTER  
APR 06 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0661-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="font-size: small; margin: 5px 0;">(to be used for all correspondence after initial filing)</p>	Application Number	09/446,783	
	Filing Date	June 26, 1998 (Int'l)	
	First Named Inventor	Neil P. DESAI	
	Art Unit	1618	
	Examiner Name	M. Hartley	
Total Number of Pages in This Submission	3	Attorney Docket Number	420042000126

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address: (1 page) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Statement under 37 CFR 3.73(b) (1 page) - Facsimile Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer Number 25226)		
Signature			
Printed name	Catherine M. Polizzi		
Date	April 06, 2006	Reg. No.	40,130

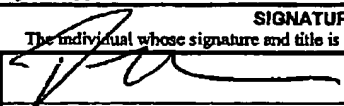
I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: April 06, 2006	Signature: <u>Elsa Guezlec</u> (Elsa Guezlec)

pa-1058381

RECEIVED  
CENTRAL FAX CENTER  
APR 06 2006

PTO/SB/80 (11-04)  
Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO			
I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).			
I hereby appoint:			
<input checked="" type="checkbox"/>	Practitioners associated with the Customer Number:		25226
OR			
<input type="checkbox"/>	Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):		
	Name	Registration Number	Name
as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned <u>only</u> to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).			
Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:			
<input checked="" type="checkbox"/>	The address associated with Customer Number:		25226
OR			
<input type="checkbox"/>	Firm or Individual Name		
Address			
City		State	Zip
Country		Telephone	Fax
Assignee Name and Address: American BioScience, Inc. 2730 Wilshire Boulevard, Suite 500 Santa Monica, California 90403			
A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/98 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.			
SIGNATURE of Assignee of Record			
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee			
Signature			Date 3.07.06
Name	Richard E. Maroun		Telephone (310) 883-3146
Title	Secretary and General Counsel		

Attorney Docket No.: 420042800100

pa-1040689

PTO/SB/98 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Neil P. DESAI et al.

Application No./Patent No.: 09/446,783 Filed/Issue Date: June 26, 1998 (Int'l)

Entitled: NOVEL FORMULATIONS OF PHARMACOLOGICAL AGENTS, METHODS FOR THE PREPARATION THEREOF AND METHODS FOR THE USE THEREOF

American BioScience, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1.  the assignee of the entire right, title, and interest; or
- 2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010835, Frame 0495, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- 1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Catherine M. Polizzi  
Signature

April 06, 2006  
Date

Catherine M. Polizzi, Reg. No. 40,130  
Printed or Typed Name

(650) 813-5651  
Telephone Number

Attorney of Record for Assignee  
Title

Attorney Docket No. 420042000126